

Solid Waste Policy Advisory Committee Meeting Summary
March 10, 2006

Participants		
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Handouts

- Agenda
- Definitions of Sustainable Development from Sustainable Research Group

- Proposed Policy Statements
- Policy Statement Flow Chart
- Meeting summaries from past meetings were also available

Introductions and notes from previous meeting

- Notes from February 24, 2006 meeting approved for posting on web site.
- The Canadian Waste Meeting held at Michigan State University was briefly discussed. Of note was a presentation by Brad VanGilder of the Ecology Center who stated four reasons why Michigan's Solid Waste Policy has failed. The reasons were: 1) excessive landfill space; 2) Michigan Strategic Fund bonds subsidized landfill expansion and the financial assurance requirements are artificially low ; 3) low surcharge or fee structure 4) consolidation of solid waste companies in private hands;
- Went around the table and did introductions as there were some substitute representatives at this meeting who did not know everyone.
- The meeting summaries on the web site need to be checked as it appears that some are not the final versions with all the attachments or graphics included.

Draft Policy Statements

- An explanation of how DEQ staff arrived at the Draft Policy Statements was given
- The list of Proposed Policy Statements from the February 24, 2006 meeting was used by DEQ staff to create the Draft Policy Statements.
- The items were divided into: What we want to accomplish and how to accomplish those things
- Frank went through the list of Proposed Policy Statements and the flow chart to show how they were divided and where each of the items from the SWPAC were covered
- The subjective judgments and content are what needs to be focused on at this meeting
- There is a need to recognize all the management options for materials, not just disposal
- Some of the words used are not clear-discussion of the term "ensure" and what that means in this context
- An explanation of the tiers of statements needed-overarching policy statement, first 4 tiers of "Policy" and then "tools" under that
- Some items went beyond the level of detail that is currently being discussed but will need to be discussed by the SWPAC at some point-these items belong in the fourth tier
- There was a discussion of why the third tier is coming from just two of the boxes in the tier above it when some seem to go to the other boxes in the second tier—all should, and probably will, have a third tier, however DEQ did not want to create anything new but leave it to the SWPAC to develop

- The information could clearly be packaged in various ways and the SWPAC would like to have the final product showing the tiers without the arrows of a flow chart—but this is good now for understanding the thought process
- Next steps need to be decided—should the SWPAC work on reaching consensus on the Draft Policy Statements or work on the next tier of statements?
- What DEQ staff came up with was to provide a framework for discussion and nothing is final at this point
- There was a reminder of the Policy Template structure previously discussed that envisioned three parts under each statement: 1) a high level policy statement; 2) goals and measures; 3) implementation strategies
- Some members wanted to look at one tier at a time starting with the overarching policy statement and others want to look at reaching agreement on the language used
- The word hierarchy is an artificial construct and using the word “portfolio” might be more appropriate
- Wordsmithing gets bogged down and SWPAC should be working in the spirit of trying to get the draft into a usable format—group should work on concept smithing instead—did DEQ capture everything that was contained in the February 24, 2006 SWPAC discussion?
- The word “economic” appears only once in the draft and is an important factor. It needs to be recognized that disposal costs effect economic growth
- It was suggested that we not lose that but maybe proceed to another level of detail and maybe the more substantive details will help us work this out
- SWPAC should reconcile the 8 groups that we came up with at the February 10 meeting to make sure all those ideas are covered and we don’t lose the original work for what the Policy should address
- The terms used in the Policy are critical to getting the concepts across and are the underpinnings of how this will work—ie: “appropriate” and what that means since it means different things to different people
- The policy statement should be the easiest to develop with the implementation detail the hardest to get through and get consensus on
- “Optimum” should be used instead of appropriate in the policy statements
- The analogy of sculpting something together but all of us don’t agree on the shape we are working on was suggested
- Work toward agreeing on the words for the top two tiers and work down since everything else flows from there
- Are we designing any constructs or flaws in the process that might not allow us to proceed in the way that we would like?
- Hierarchy is a very valid and accepted concept and we don’t want to lose that but want to acknowledge that things can shift within the hierarchy or change in priority in the hierarchy based on individual circumstances—we

shouldn't place a value judgment but recognize the interrelationships within the hierarchy

- SWPAC members were requested to provide their initial comments on the Draft Policy Statements and how to proceed:
 - The overarching policy statement should say “management of resources” rather than “materials” and use the term “economic vitality or prosperity “ and be re-ordered slightly
 - Use terms that are defined under sustainable development—internationally accepted definitions
 - The Policy statements should reference an entity—“State of Michigan” rather than just “Michigan” since it is not clear who that means
 - For all the tiers, we need to use words that provide the essence of what our intentions are for the use of those words such as: appropriate, ensure, recognize, etc.
 - Should use “quality of life” rather than “social equity”
 - How do the second and third tiers address the ones above them? These statements should compliment each other and work together and we need to move from the balancing mindset of an either/or position as complicated issues are not either/or situations
 - Appropriate=suiting or fitting
 - Remove the word hierarchy in 1) and reword it a bit
 - Some of what is proposed seems to be inconsistent with the SWPAC proposals-market-based solutions are not reflected
 - Devil is in the details
 - SWPAC policy statements reflect where each member is coming from and it needs to be more concrete where each is covered in the policy statements
 - Simplify the overarching goal/mission but stay with the principals reflected in the mission statement
 - The waste hierarchy priorities are pretty well recognized and will underlie the thinking even if not stated in the Policy
 - Economic incentives include things other than just financial incentives
 - “Materials” should be used in the mission statement
 - Need to be explicit in use of the term “hierarchy” and what that means
 - Use more specific terms in the details since it appears that there was some intentional vagueness in the policy statement terms to allow some room to work and we can be more specific in the detail—for that reason, keep the word “appropriate” rather than “optimum”
 - Shorten and re-order the mission statement
 - 1) needs work but the rest are okay
 - It is not clear if the word “ensure” is being linked to all markets/infrastructure/management options

- Next challenge will be to work through the next level of the Policy
- May want to look at the past Solid Waste Policy for direction
- “Encourage” is a weak word for a Policy
- “Resources” should be used as opposed to “materials”
- Like to reach agreement that there is a preference on what happens to materials—the concept is more important than the wording and we just need a better statement of the concept
- There is a need for more than just disposal capacity—other management options
- Like the term “economic vitality” but not sure what “quality of life” means
- The definition of “hierarchy” and what that means is obviously divided among the group
- Cost and economic impact and what that means to waste management/materials management—low cost important otherwise businesses lose the ability to compete globally—need to recognize a balance or one more important consideration drives the others
- Move “economic vitality” up in the mission statement
- Need headers or some sort of explanation in the final document so others can understand it better
- The mission statement should say “Michigan shall” or “Michigan must” as the rest doesn’t flow from the word “should”
- Details can be used to explain the terms and will effect the Policy statements—it may be clearer when the details are fleshed out
- Since this is a public document, it needs to be simple/clear
- Looking forward to implementation-action
- Pollution prevention aspects need to be brought into this somehow
- Policy need to be more “forceful” or clearly action oriented
- Need to relate in second tier that this is a waste policy
- Encourage—be Michigan’s goal/role in involvement—Definition of encourage is to educate, inspire, or spur
- Not just the cost of disposal but the cost of other management options should be considered
- Hierarchy-not assign a value to the method—decisions can be made or a preference for certain options can be expressed
- Equal weight should be given to all options
- The term “ecological integrity” is more appropriate than “environmental protection”
- Mission statement will be worked on by DEQ staff to get some of the concepts discussed into it and it doesn’t need to be decided right now
- Once we get down to the detail level, it may drive the word choices we use above that
- Is there any sort of preference or hierarchy between the items in the mission statement?

- DEQ staff will work on that based on today's comments—get some what closer and can be a work in progress --do the wordsmithing once we get more details filled in
- The main issues appear to be the hierarchy and to get all management options included under 3)A)
- Hierarchy-based on individual decisions and the best management option might change based on circumstances—that is covered under 2)
- The preference is a conservation-based preference as reflected in 1)
- Manage materials in general--the most cost-effective way is to not generate waste, then re-use, recycling, and proper disposal
- Do we have a preference, and if so, what is it?
- An explanation is needed in the document when it goes out
- 1) is an individual policy statement with 2), 3) and 4) being organizational statements—that helps clarify the intent but first we need to decide what the intent is
- Keep the hierarchy but be flexible within it—the flexibility comes at the level of individual choices
- Some levels within the materials management options have not been as concentrated on and resources might need to be directed there even if it is a less preferred option in order to develop option
- Part 115, Section 14 shows a legislated preference—promote recycling and re-use
- Work in word preference in 1) and think in terms of broad categories: Reduce (Source reduction), Re-use/Recycling (Diversion), and then Disposal
- DEQ staff will work on re-drafting based on agreed upon key concepts
- Need to convey to the public the concept that “individuals” also includes “organizations”—convey through statement of policy and use of narrative to explain
- Need to look at how we use “Michigan”—who are we talking about—it is used in various ways
- A full cost-benefit analysis will shift us from short-sighted choices to better, long-term, economically viable decisions
- Use “identify” rather than “recognize” in 4)—identify what some words mean by the details under them
- Need to ensure both disposal capacity and other management capacity/options/capability
- If SWPAC members have specific things they want to change or protect, they can get comments to DEQ staff before the next meeting
- DEQ will get a revised draft out to the group the Monday before the next meeting (March 20)
- Also need to start developing a narrative to explain or a glossary of terms—this may develop out of the Policy details



Definition of Sustainable Development

The Triple Bottom Line Approach to Sustainability – Sustainable development involves the simultaneous pursuit of economic vitality; ecological integrity; and social equity. Companies aiming for sustainability need to perform not against a single, financial bottom line, but against the triple bottom line.

Economic Vitality – Development that incorporates a full cost accounting approach, and improves the quality and function of an organization's commercial or social outputs in a profitable manner.

Ecological Integrity – The healthy functioning of biological organisms within the ecosystem they inhabit.

Social Equity – Involves the identification of issues, the development of standards and the implementation of programs that address an organization's responsibility for the ethical treatment of individuals, communities and other stakeholders.

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Proposed Policy Statements

To protect Michigan's natural resources, promote economic development, and conserve energy, Michigan will maximize the recovery of recyclable materials.

Market based solutions to solid waste problems strengthen sustainability

Encourage mgmt of wastes according to solid waste hierarchy

Optimum investment in landfill, compost, recycling facilities to meet MI needs

Consistent regulatory requirements throughout various levels of government

Clear roles among all stakeholders

The solid waste policy should not hinder growth and should maximize our ability to grow

Institutionalization of data collection and reporting by all stakeholders in order to provide accurate and timely information for which to evaluate policy goals and recommendations

Recognize opportunities to add value to both organic and inorganic waste streams through strategies such as composting, recycling, new product development and energy generation.

Define and provide ability for -- Roles of governmental and non-governmental stakeholders

Account for capacity - waste management needs

Regulatory system that is stable enough to provide predictability and provides flexibility for unforeseen circumstances

Regulatory system that responds to growing privacy concerns

Establish policies to encourage the beneficial reuse of industrial byproducts.

Provides ongoing review of impact of categories of sustainability

Recognize waste is an article of commerce and part of national and international network of trade.

Establish effective organizational, regulatory, and funding mechanisms to generate convenient recycling opportunities for Michigan citizens, businesses, and institutions

Any state requirements for Solid Waste planning should be met with commensurate funding.

To provide effective and broad-based education on the implications and impacts of the Solid Waste Policy on the private and public sector.

Fairly and equitably access the full costs of managing solid waste

All policy implementation measures, such as laws, rules, and programs, must be subject to a sustainability-based cost-benefit analysis during development and prior to implementation.

Integrate producer and distributors of goods into the systems required for the sustainable management of the end disposition of those goods.

Follow Administrative Procedures Act in evaluating regulatory recommendations

Look beyond political borders for sustainable solutions

Identify social economic and environmental impediments (barriers)

Facilitate confidential access to compliance information by stakeholders

New Additions (added after the 2/24 meeting)

Ensure the long-term economic sustainability of solid waste management companies – recognizing solid waste management is operated by private sector entrepreneurs deserving of protection of free market principals.

Ensure long-term disposal capacity.

Michigan Solid Waste Policy

Policy Statement Flow Chart

March 3, 2006

Michigan should encourage management of materials in order to promote environmental protection, quality of life, and economic health in a way that fosters sustainability.

1) Michigan will encourage the appropriate use of an interrelated hierarchy of solid waste management options including avoiding waste generation, re-use, recycling, and proper disposal.

2) Michigan will encourage its citizens to select solid waste management options based on the ability to foster sustainability.

3) Michigan will make solid waste management decisions recognizing the interrelationship among global, national, and regional systems of resource use and disposal.

4) Michigan will recognize the distinct roles and responsibilities of public institutions (including various levels of government), the private sector, and individuals in encouraging and making choices related to solid waste management.

A) Ensure appropriate solid waste disposal capacity for Michigan citizens.

B) Encourage the development and utilization of markets and infrastructure to support the selection of solid waste management choices consistent with the preferred hierarchy.

C) Encourage other jurisdictions to provide appropriate solid waste management options to meet their needs.

A) Appropriately use regulatory requirements, education, and financial incentives to encourage choices consistent with the preferred hierarchy.

B) The roles of individual units of government should be clearly defined and adequately funded. Their actions should be consistent with one another.

C) Regulation of solid waste management should be predictable enough to encourage decisions consistent with the preferred hierarchy, yet flexible enough to provide for individual and changing circumstances.

D) Develop and implement an effective system to monitor, evaluate, and modify the Solid Waste Policy and its implementation.